
From: Michael Zarin <michael.zarin@rockwool.com>
Sent: 2/11/2019 10:54:04 AM -0500
To: Bondy Gibson <bondy.gibson@k12.wv.us>
Subject: RE: Response
Attachments: Adams Letter.pdf

Dear Dr. Gibson,

In the same spirit of open communication, I want to share with you a brief letter our counsel sent to the Board's counsel just a few moments ago. It comes on the back of the Board's letter to us from last week, in short seeking clarification on a couple of points.

The most important thing from my non-lawyerly perspective is that the letter reiterates our openness to discussing a way forward with the Board in relation to the HHRA. I understand the Board's meeting this evening has been rescheduled now for Tuesday next week owing to inclement weather. As always, I am available at your convenience to discuss further.

Best regards,

Michael

(By the way, I will be in West Virginia next week; perhaps we can find a time to meet then)

From: Bondy Gibson [mailto:bondy.gibson@k12.wv.us]
Sent: Thursday, February 7, 2019 7:30 PM
To: Michael Zarin <michael.zarin@rockwool.com>
Subject: Response

Dear Mr. Zarin

I hope this message finds you well. Per our discussion and practice, I am conveying the content of the response that will be posted today of the JCBOE to Rockwool's January 28, 2019 announcement that it would unilaterally seek an HHRA. Should you have any questions please feel free to contact me.



Bondy Shay Gibson, Ed.D.

Superintendent

Jefferson County Schools

Office: 304-728-9223

Mobile: 304-582-0181

<https://boe.jeff.k12.wv.us/>

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James A. Walls
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February 11, 2019

Via Electronic Mail

Jared M. Adams, Esquire
P.O. Box 755
Martinsburg, WV 25402-0755
jared@adamslawfirmpllc.com

Re: Roxul USA, Inc.

Dear Mr. Adams:

I represent ROCKWOOL, and I understand that you represent the Jefferson County Board of Education (BOE). I write in response to Superintendent Bondy Shay Gibson's February 7, 2019 letter to Michael Zarin.

To start, ROCKWOOL respects the BOE's perspective on the human health risk assessment (HHRA) and shares its desire to complete an independent evaluation that can inform all relevant stakeholders. On that point, ROCKWOOL believes any differences between the parties are narrower than have been suggested and can be resolved with further engagement.

Nevertheless, we don't believe the BOE can tie the parties' progress on the HHRA to the PILOT. The two are entirely separate matters, and in our view, the BOE cannot use its dissatisfaction with the process on the former as a basis to repudiate the latter.

Hence, I am puzzled by the BOE's suggestion that it will oppose the "enactment" of the PILOT. I am also puzzled by the BOE's references to the West Virginia Code of Ethics. To help ROCKWOOL engage further with the BOE on those issues, please let us know (1) whether the BOE considers the PILOT to be a binding agreement and, if not, why not; and (2) what is the BOE's understanding of the relationship between the West Virginia Code of Ethics and the PILOT.

Because of the attention Dr. Gibson's letter has received, I request the BOE's response by no later than February 15, 2019. I am also happy to discuss with you by telephone if you believe that would be more productive.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Walls", written over a horizontal line.

James A. Walls

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